

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4216

To amend title XVIII of the Social Security Act to limit the amount a provider may charge an individual for an outpatient hospital service furnished under part B of the medicare program to 20 percent of the reasonable cost of the service, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 14, 1994

Mr. COYNE introduced the following bill; which was referred jointly to the Committees on Ways and Means and Energy and Commerce

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## A BILL

To amend title XVIII of the Social Security Act to limit the amount a provider may charge an individual for an outpatient hospital service furnished under part B of the medicare program to 20 percent of the reasonable cost of the service, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Medicare Beneficiary  
5       Coinsurance Protection Act”.

1 **SEC. 2. LIMITATION ON AMOUNT PROVIDER MAY CHARGE**  
2 **FOR OUTPATIENT HOSPITAL SERVICES**  
3 **UNDER MEDICARE.**

4 (a) IN GENERAL.—Section 1866(a)(2)(A)(ii) of the  
5 Social Security Act (42 U.S.C. 1395cc(a)(2)(A)(ii)) is  
6 amended by striking “an amount equal to 20 per centum  
7 of the reasonable charges” and all that follows through  
8 “the Secretary)” and inserting “with respect to items and  
9 services for which payment is made under part B or which  
10 are durable medical equipment furnished as home health  
11 services, an amount equal to 20 percent of the reasonable  
12 cost of the item or service (as determined under section  
13 1861(v))”.

14 (b) EFFECTIVE DATE.—The amendment made by  
15 subsection (a) shall apply to items and services furnished  
16 on or after January 1, 1995.

17 **SEC. 3. ELIMINATION OF FORMULA-DRIVEN OVERPAY-**  
18 **MENTS FOR CERTAIN OUTPATIENT HOSPITAL**  
19 **SERVICES.**

20 (a) AMBULATORY SURGICAL CENTER PROCE-  
21 DURES.—Section 1833(i)(3)(B)(i)(II) of the Social Secu-  
22 rity Act (42 U.S.C. 1395l(i)(3)(B)(i)(II)) is amended—

23 (1) by striking “of 80 percent”; and

24 (2) by striking the period at the end and insert-  
25 ing the following: “, less the amount a provider may

1 charge as described in clause (ii) of section  
2 1866(a)(2)(A).”.

3 (b) RADIOLOGY SERVICES AND DIAGNOSTIC PROCE-  
4 DURES.—Section 1833(n)(1)(B)(i)(II) of such Act (42  
5 U.S.C. 1395l(n)(1)(B)(i)(II)) is amended—

6 (1) by striking “of 80 percent”; and

7 (2) by striking the period at the end and insert-  
8 ing the following: “, less the amount a provider may  
9 charge as described in clause (ii) of section  
10 1866(a)(2)(A).”.

11 (c) EFFECTIVE DATE.—The amendments made by  
12 this section shall apply to services furnished during por-  
13 tions of cost reporting periods occurring on or after Janu-  
14 ary 1, 1995.

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